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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JODY TYLER SHELTON,

Defendant.

Case No. 3:20-cr-00050-HZ-1

DECLARATION OF COUNSEL IN  
SUPPORT OF DEFENDANT'S FIFTH  
UNOPPOSED MOTION FOR  
POSTPONEMENT OF TRIAL DATE AND  
MOTION TO POSTPONE PRE-TRIAL  
HEARINGS DATE

The undersigned, Tyl W. Bakker, being first duly sworn, do depose and state that the following is true and correct:

1. I am the court appointed counsel for the defendant Jody Tyler Shelton in the above-referenced case having been so appointed to this matter on March 10, 2020 by way of substitution. I am defendant's second appointed lawyer.

2. The defendant has been charged on one count of Possession with the Intent to Distribute Heroin, one count of Possession of a Firearm in Furtherance of a Drug Trafficking Crime, and one count of Felon in Possession of Firearm.

3. That a pre-trial motion hearing is currently scheduled for Tuesday, March 16, 2021 before Your Honor.

4. Mr. Shelton informed me that he does not want to waive personal appearances for this motion hearing.

5. Mr. Shelton has numerous medical issues previously documented in Court filings that

make him extremely vulnerable in light of the current Covid-19 epidemic. As a result, Mr. Shelton does not feel it would be safe to be transported at this time.

7. Additional time is needed to continue plea negotiations, advance trial and motion hearing preparations, and otherwise complete preparations for Mr. Shelton's defense in light of Covid-19. Plea negotiations are ongoing and recent developments have been made that require additional time needed to discuss with Mr. Shelton.

8. By the accompanying motion, Mr. Shelton requests that the current trial date be continued for approximately 60 days to Monday, July 19, 2021, or a date thereafter convenient to the Court. Defendant further moves the Court for an order postponing the currently scheduled motions hearing date of March 16, 2021 for approximately 60 days. This is the fifth motion to reset the trial date filed in this case of behalf of Mr. Shelton.

9. I have met with Mr. Shelton and discussed his rights under the Speedy Trial Act. He is prepared to waive those rights for the purpose of this motion. He consents to the granting of this motion.

10. Assistant United States Attorney Ashley Cadotte does not oppose this request.

11. I declare that the above statements are true to the best of my knowledge and belief, and that I understand they are made for use as evidence in court and are subject to penalty for perjury.

Dated this 10<sup>th</sup> day of March, 2021

/s/ Tyl Bakker

Tyl W. Bakker, OSB #902000  
Attorney for Defendant